



Patent
Attorney's Docket No. 000023-012
AS 9/27/02 RA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Takumi KITAHARA et al.) Group Art Unit: 1764
Application No.: 09/994,899) Examiner: V. Manoharan
Filed: November 28, 2001) Confirmation No.: 8028
For: METHOD FOR RECOVERING)
TITANIUM COMPOUND, PROCESS)
FOR PREPARING TITANIUM)
HALIDE, AND PROCESS FOR)
PREPARING CATALYST FOR)
POLYMER PRODUCTION)

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RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the restriction requirement set forth in the Official Action dated September 5, 2002, applicants hereby elect the subject matter of Group I which currently contains claims 1, 2, 4, 5, and 9-12. This election is made with traverse and applicants respectfully request reconsideration of the restriction requirement for the following reasons.

The elected subject matter relates to a defined method for recovering a titanium compound. The non-elected subject matter of dependent claims 13 and 14 relates to a process for preparing a titanium halide. Due to the dependent nature of these claims, they are an extension of the method of claims 1 and 2 of Group I. Accordingly, if the method of claims 1 and 2 are patentable, then claims 13 and 14 will also be patentable since the latter claims incorporate the recitations of the method claims from which they depend.

With respect to the Examiner's reference to MPEP §806.05(i), applicants respectfully note that there are no product claims pending in the present application. Thus, the cited provisions of MPEP §806.05(i) which refers to 37 C.F.R. §1.141(b) that requires claims relating to each of i) product, ii) process of making and iii) process of using all being present in a single application (see the **Examiner Note:** in the MPEP) is not applicable in this situation and applicants respectfully submit that all the claims should be examined together.

Should the Examiner have any questions concerning the subject application, the Examiner is invited to contact the undersigned attorney at the number provided below.

Respectfully submitted,

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